

PATENT

3727
#13/dpm
5-21-03
W/D B
atly.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David MICELI et al.

Application No.: 09/938,292

Filing Date: August 21, 2001

For: Reversible Child Resistant Closure

Attorney Docket No.: 0152-0019

ATTN: Director of Group

RECEIVED
MAY 09 2003
TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 CFR § 10.40 (c))

NOTE: Withdrawal is effective when approved and at least 30 days between approval and expiration of a time response period is required. This is so that the applicant will have sufficient time to obtain other representation or take other action. If less than thirty days remain in a running response period, a request to withdraw is normally disapproved. It would be helpful if a request and fee, preferably an authorization to charge a deposit account, were included with a request to withdraw. Such would permit the Office to make sure, in most instances, that sufficient time remains in the period for response. MPEP § 402.06 and Notice of September 3, 1985 (1058 O.G. 32-33).

1. I hereby apply for permission to withdraw as attorney for the applicant in the above-identified application in accordance with 37 CFR § 1.36.

2. The reasons for this request are:

The applicant has discharged the undersigned and requested that the application file be returned.

3. Correspondence Address

☐ The correspondence address is NOT affected by this withdrawal.

☒ Change the correspondence address and direct all future correspondence to:

David Miceli
Tri State Distribution, Inc.
HC 69, Box 398
Spencer, TN 38585

4. Status of this application

A. Response due (if any)

☐ there is no outstanding term for response

☒ there is an outstanding term for response which is set to expire on July 14, 2003.
the above term is extendible under 37 CFR § 1.136(a) until October 14, 2003 and the fees for such extension

☐ are

☒ are not being submitted herewith

NOTE:

"If a period has been set for response and the period may be extended without a showing of cause pursuant to 37 CFR § 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved." Notice of December 10, 1987, 1086 OG 457.

(complete the following, if applicable)

☐ Also submitted herewith is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, the amount of time for response including extension under 37 CFR § 1.136(a) is:

☒ at least 5 months

☐ cannot be calculated since this case *is/will* now be awaiting action by the PTO

5. In accordance with 37 CFR § 10.40(a), a copy of this request, including attachments, are being sent to the client. A copy of the letter to the client is attached.

NOTE: *A practitioner shall not withdraw from employment without giving due notice to his or her client. 37 CFR § 10.40(a)*

6. This request is enclosed in triplicate.

NOTE: *"To expedite the handling of request for permission to withdraw as attorney under 37 CFR § 1.36 submit the request in triplicate (original and two copies. . ." Notice of September 3, 1985 (1058 O.G. 32).*

7. Related Applications for Which Withdrawal is Requested

Withdrawal is (has) also been requested in the following related applications of the

(check all applicable items)

- ☐ inventor
- ☒ assignee
- ☐ common representative

Application Number	Group	Status of Withdrawal request
10/302,954		Pending
29/170,867		Pending
29/170,866		Pending
29/170,839		Pending
10/356,493		Pending
60/438,521		Pending


8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)

(List all the attorneys, and registration numbers, appearing on declaration or power, as appropriate. An authorized attorney signing on behalf of a withdrawing attorney should also show his or her registration number.)

Toni-Junell HERBERT, Reg. No. 34,348; Mark R. SHANKS, Reg. No. 33,781; Joseph G. CONTRERA, Reg. No. 44,628; Shelly Guest CERMAK, Reg. No. 39,571; Christopher E. ANIEDOBE, Reg. No. 48,293; Timothy R. DEWITT, Reg. No. 35,857; Adam J. CERMAK, Reg. No. 40,391; Belinda LEW, Reg. No. P-53,212; and Tamara YORITA, Reg. No. P-53,813.

Respectfully submitted,

Date: 5/3/03


Mark R. Shanks
Reg. No. 33,781

SHANKS & HERBERT
TransPotomac Plaza
1033 N. Fairfax Street, Suite 306
Alexandria, VA 22314
Tel. No.: (703) 683-3600

APPROVED: 
Director

Date: 5-21-03

E. ROLLINS-CROSS
GROUP DIRECTOR
TECHNOLOGY CENTER 3700



1033 N. Fairfax St., Suite 306, Alexandria, VA 22314

Telephone: (703) 683-3600 Facsimile: (703) 683-9875 Email: Mark@mail.ipadvocates.com

May 5, 2003

VIA FACSIMILE
Confirmation by Post

David A. Miceli
President
Tri State Distribution, Inc.
HC 69, Box 398
Spencer, TN 38585

RECEIVED
MAY 09 2003
TECHNOLOGY CENTER R3700

Re: Withdrawal as Attorneys of Record
Our Ref. Nos.: 0152-0018C, 0152-0018Des1, 0152-0018Des2,
0152-0018Des3, 0152-0019, 0152-0023, and
0152-0027

Dear Mr. Miceli:

Enclosed for your records please find copies of *Request for Withdrawal as Attorney (37 CFR § 10.40 (c))* documents filed at the United States Patent and Trademark Office for the above-identified matters.

If you have any questions or comments, please do not hesitate to contact us.

Best regards,

Mark R. Shanks
Mark R. Shanks

MRS/cg

Encl.

San Diego

4350 La Jolla Village Dr., Suite 330, San Diego, CA 92122
Telephone: (858) 597-6688 Facsimile: (858) 597-6682

Palm Desert

73-255 El Paseo, Suite 11, Palm Desert, CA 92260
Telephone: (760) 346-0577 Facsimile: (760) 341-7597